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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,542	12/22/2005	Matti Leiponen	6009-4750	8654

27123 7590 09/26/2006

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EXAMINER	
TOLAN, EDWARD THOMAS	
ART UNIT	**PAPER NUMBER**
3725	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

NT

Office Action Summary	Application No.	Applicant(s)	
	10/563,542	LEIPONEN, MATTI	
	Examiner	Art Unit	
	Edward Tolan	3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-8,10-13 and 16-19 is/are rejected.

7)☒ Claim(s) 9,14 and 15 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 22 December 2005 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 6,9 and 10 objected to because of the following informalities: In claim 6, line 2 --comprising-- should precede "feeding", in claim 9, line 2 --comprising-- should precede "removing" and in claim 10, line 2 --comprising-- should precede "protecting". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7,10-13,18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komata et al. (JP 6-226335) in view of Wright (5,782,120). Komata discloses a method and apparatus for supplying gas into a groove (9) of a feed member (8) which moves metallic member (6) to an extrusion member (10). The gas is supplied by pipe (2) into shoe (3) serving as a gas protecting member. The shoe covers the groove and the gas is inserted into a space (4) where the shoe begins, it thus covers the groove and contains the gas. Komata does not disclose that the space is at a higher pressure than the surrounding atmosphere. Wright teaches that it is known to provide a gaseous non-oxidizing atmosphere in an enclosure at a pressure greater than an atmosphere surrounding the enclosure. Regarding claim 2, Wright teaches that the entirety of the wheel is exposed to gas. Wright teaches hydrogen and nitrogen.

It would have been obvious to one skilled in the art at the time of invention to provide the gas of Komata at an elevated pressure as taught by Wright in order to prevent oxidation and contaminants on the surface of the extruded product.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komata in view of Wright and further in view of Rouyer et al. (3,834,199). Komata in view of Wright does not disclose preheating the gas. Rouyer teaches that it is known to preheat a gas in order to isolate a material from oxidation. It would have been obvious to one skilled in the art at the time of invention to heat the gas of Komata in view of Wright as taught by Rouyer in order to not adversely affect the material temperature within the groove.

Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komata in view of Wright and further in view of Heikkila (6,637,249). Komata in view of Wright does not disclose a lining. Heikkila teaches that it is known to provide a lining (8,11) to both sides of a groove. It would have been obvious to one skilled in the art at the time of invention to provide Komata in view of Wright with a lining as taught by Heikkila in order to protect the groove during extrusion.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komata in view of Wright and Heikkila and further in view of Anderson et al. (4,650,408). Komata in view of Wright and Heikkila does not disclose that the lining is the same as the material being extruded. Anderson teaches that it is well known to provide the lining in the same material as the extrusion material. It would have been obvious to one

skilled in the art at the time of invention to provide the lining of Komata in view of Wright and Heikkila of the same material being extruded in order to minimize cost.

Allowable Subject Matter

Claims 9,14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Ed Tolan whose telephone number is 571-272-4525. FAX communications should be sent to 571-273-8300.

ED TOLAN
PRIMARY EXAMINER